

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Jarrettsville Pike, 962 ft. S. of c/l Richfield Lane
13612 Jarrettsville Pike
10th Election District
3rd Councilmanic District
Garth R. McDonald, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-391-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Garth R. McDonald and Jennifer M. McDonald, his wife, for that property known as 13612 Jarrettsville Pike in the northern section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 30 ft. in lieu of the required 50 ft. for a proposed addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

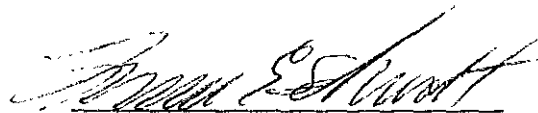
ORDER RECOMMENDED FOR FILING
Date 4/9/97
By M. J. G. [Signature]

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of April 1997 that the Petition for a Zoning Variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 30 ft., in lieu of the required 50 ft., for a proposed addition, in an R.C.4 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. and Mrs. Garth R. McDonald
13612 Jarrettsville Pike
Phoenix, Maryland 21131

RE: Petition for Administrative Variance
Case No. 97-391-A
Property: 13612 Jarrettsville Pike

Dear Mr. and Mrs. McDonald:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

97-391-A

to the Zoning Commissioner of Baltimore County

for the property located at 13612 Jarrettsville Pike, 21131

which is presently zoned RC 4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A.03.4.B. 4. (1975 reg.) to allow a side yard setback of 30' in lieu of the required 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To maintain the practicality and functionality of this addition, we must build it on the east side of our house. The porch, paved driveway, and large tree prohibit any extension on the northern side. The steep slope, forest buffer, and septic system prevent extension down the hill to the south, plus the function and flow to existing rooms would be destroyed. A barn, heat pumps and telephone lines are located to the west. You would have to walk through at least three rooms, including a bedroom, to get to an addition on the west side.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Jennifer M McDonald
(Type or Print Name)

Signature

Garth R. McDonald
(Type or Print Name)

Signature

13612 Jarrettsville Pike 410-667-1749
Address Phone No

Phoenix MD 21131
City State Zipcode

Name Address and phone number of representative to be contacted

Jennifer M McDonald
Name

above 410-667-1749
Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY:

DATE:

ESTIMATED POSTING DATE:



Printed with Soybean Ink
on Recycled Paper

ITEM #: 391

Affidavit in support of 97-391-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 13612 Jarrettsville Pke
address
Phoenix MD 21131
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The existing house sits in an east/west direction at the top of a steep hill. The practicality required to build this addition and the functionality of the house will be significantly compromised by adding onto any side other than the east side. The front porch, paved driveway, and large tree prohibit any extension on the northern side of the house. The steep slope, forest buffer, and septic system prevent extension down the hill to the south. Plus, an addition to the south would be isolated from other existing rooms diminishing the functionality. A barn, heat pumps and telephone lines are located to the west. And, if we were to extend the house to the west you would have to walk through at least three rooms to get there.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Jennifer M McDonald
(signature)
Jennifer M. McDonald
(type or print name)



Garth R. McDonald
(signature)
Garth R. McDonald
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of March, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JENNIFER M. & GARTH R. McDONALD

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 14, 1997
date

Maureen M. Mastiacci
NOTARY PUBLIC

My Commission Expires: 11/1/97

97-391-A

**To accompany Administrative Variance Petition for:
Garth & Jennifer McDonald
13612 Jarrettsville Pike
Phoenix, MD 21131**

ZONING DESCRIPTION FOR 13612 Jarrettsville Pike.

Beginning at a point on the East side of Jarrettsville Pike which is 20 feet wide at the distance of 962 feet South of the centerline of the nearest improved intersecting street, Richfield Lane which is _____ feet wide.

Being Lot #2 as shown on a plat entitled "Plat of a survey, Minor subdivision of the property of Jennifer McDonald, 13612 Jarrettsville Pike," and recorded in

Baltimore County records as **Deed Liber 8879, Page 102**, containing 4.0049 acres.

Also known as 13612 Jarrettsville Pike, Phoenix, Maryland 21131 and located in the 10th Election District, 3rd Councilmanic District.

Metes and Bounds:

S.02 43' 26" W. 12.53 FT.,
N.83 38' 34" W. 803.87 FT.,
N.27 38' 53" W. 122.64 FT.,
N.70 52' 00" W. 134.18 FT.,
S.29 13' 15" W. 293.72 FT.,
S.22 33' 48" W. 278.09 FT.,
N.55 54' 15" W. 310.00 FT.,
N.29 06' 25" E. 376.86 FT.,
N.38 02' 47" W. 265.18 FT.,
N.50 42' 39" E. 115.00 FT.,
S.38 02' 47" E. 250.00 FT.,
S.02 39' 27" E. 71.73 FT.,
S.70 52' 00" E. 350.00 FT.,
S.27 31' 30" E. 121.36 FT.,
S.83 38' 34" E. 797.93 FT.

391

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

PUBLIC HEARING 2

FOR THE CITY OF CHICAGO

POSTED: MAR. 23, 1997

Robert Hoff 3/23/97

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026714
97-391-A

DATE 14 Nov 97 ACCOUNT R-DOL-6180
AMOUNT \$ 50.00

RECEIVED FROM: Jennifer H. McDonald
FOR: 13612 Sparrowsville Pike

ADVICE VOYAGE COMPANY LOANS--14-97 \$50.00

VALIDATION OR SIGNATURE OF CASHIER

DIST. INDICATION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 97-391-A

Petitioner/Developer: _____

GARTH & JENNIFER McDONALD

Date of Hearing/Closing: 4/7/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

13612 JARRETTVILLE PIKE

The sign(s) were posted on 3/23/97
(Month, Day, Year)

Sincerely,

 3/23/97
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-391-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 391

Petitioner: Jennifer McDonald

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DR. & MRS. G.R. McDONALD

13612 Jarrettsville Pike
ADDRESS: Phoenix, MD 21131

PHONE NUMBER: 410-667-1749

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1342 Jarrettville Rd, Phoenix MD 21131 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

Plat book # _____, folio # _____, plat # 2, section # _____

OWNER: _____



North

date: _____ prepared by: _____ Scale of Drawing: 1"= _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: 10

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: RC 4

Lot size: 4,004.9
acreage square feet

SEWER: ☐ public ☒ private
WATER: ☐ ☒

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____


Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1342 Jarettsville Rd, Phoenix MD 21131 see pages 5 & 6 of the CHECKLIST for additional required information


Subdivision name: _____

plat book # _____, folio # _____, lot # 2, section # _____

OWNER: _____

North 
 date: _____
 prepared by: _____

Scale of Drawing: 1" = _____

 Vicinity Map
 North
 scale: 1"=1000'

LOCATION INFORMATION

Election District: 10

Councilmanic District: _____

1"-200' scale map#: _____

Zoning: RC 4

lot size: 4,004.9
 acreage _____ square feet _____

SEWER: ☐ public ☒ private

WATER: ☐ yes ☒ no

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 23 Mar 97

Format for Sign Printing, Black Letters on a White Background:

97-391-A

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-391-A

To ALLOW A Side Yard Setback of
30' in lieu of the Required 50'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

7 April 1997

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

97-391-A

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-391-A
13612 Jarrettsville Pike
E/S Jarrettsville Pike, 962' S of c/l Richfield Lane
10th Election District - 3rd Councilmanic
Legal Owner(s): Jennifer M. McDonald and Garth R. McDonald
Post by Date: 3/23/97
Closing Date: 4/7/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Jennifer and Garth McDonald





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Garth McDonald
13612 Jarrettsville Pike
Phoenix, MD 21131

RE: Item No.: 391
Case No.: 97-391-A
Petitioner: Garth McDonald, et ux

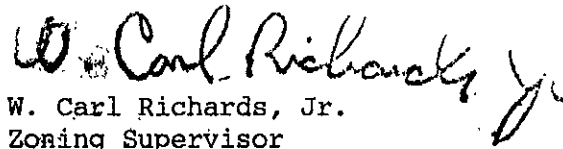
Dear Mr. and Mrs. McDonald:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 13, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, (391), and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL

ITEM378/PZONE/ZAC1

Department of Permitting and
Management

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & (391)

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: March 26, 97

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

400

391

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

G. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 382, 384, 385, 386, 387, 388, 389, 390, (391), 392

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



#388 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.
3. No description on folder.
4. No zoning on folder.
5. No acreage on folder.
6. No election district on folder.
7. No councilmanic district on folder.

#389 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.

#390 --- MJK

1. Sign form is incomplete/incorrect.
2. No telephone number for legal owner.

#391 --- CAM

1. No review information on bottom of petition form.
2. Area listed on folder - acres, square feet, what?

#392 --- CAM

1. No review information on bottom of petition form.

#394 --- JLL

1. Sign form is incomplete/incorrect.

PETITION PROBLEMS

97-391-A

#378 --- MJK

1. Sign form is incomplete/incorrect.

#379 --- JLL

1. Sign form is incomplete/incorrect.

#380 --- RT

1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 -- Which is correct?

#382 --- CAM

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

#385 --- MJK

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 331 cam

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 142 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.
Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

DR. & MRS. G.R. McDONALD
13612 Jarrettsville Pike
Phoenix, MD 21131

March 13, 1997

Baltimore County Zoning Office
Towson, Maryland 21204

97-391-A

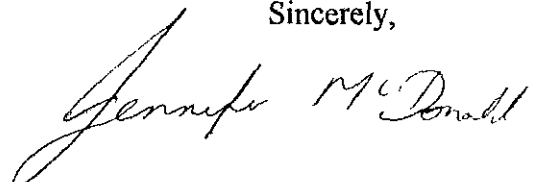
To the Zoning Officer and the Zoning Commissioner who review this petition:

We wish to build a large den from our kitchen/dining area and the only realistic direction to go with the addition is out to the east side. We propose to add on a room of this character in this location because it will function well and be feasible to construct.

The side setback in our zone (RC-4) was reduced from 50 feet to 25 feet. We understand that the setback in effect at the time the property was subdivided is the setback that applies. Yet, we believe that the intent of the side setback requirement will not be violated by granting us relief, because no one will be detrimentally affected. Our existing house is 68 feet from the side property line. Even with our addition, 30 feet of setback will remain between our existing dwelling lot and one of the vacant lots we own. This residual setback is greater than the new side setback requirement for our zone.

Immediate neighbors will not be significantly impacted by granting us relief. We have one neighbor across the stream (to the South) about 600 feet away, and another neighbor (to the West) who is out of view but is also about 600 feet away. We own the two vacant lots (to the North and East) that border the lot with our existing dwelling. The relief requested is without substantial injury to our neighbors, ourselves or other property owners in the district. A lesser relaxation than applied for will not give substantial relief. Relief can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Sincerely,



Garth and Jennifer McDonald

Item 391





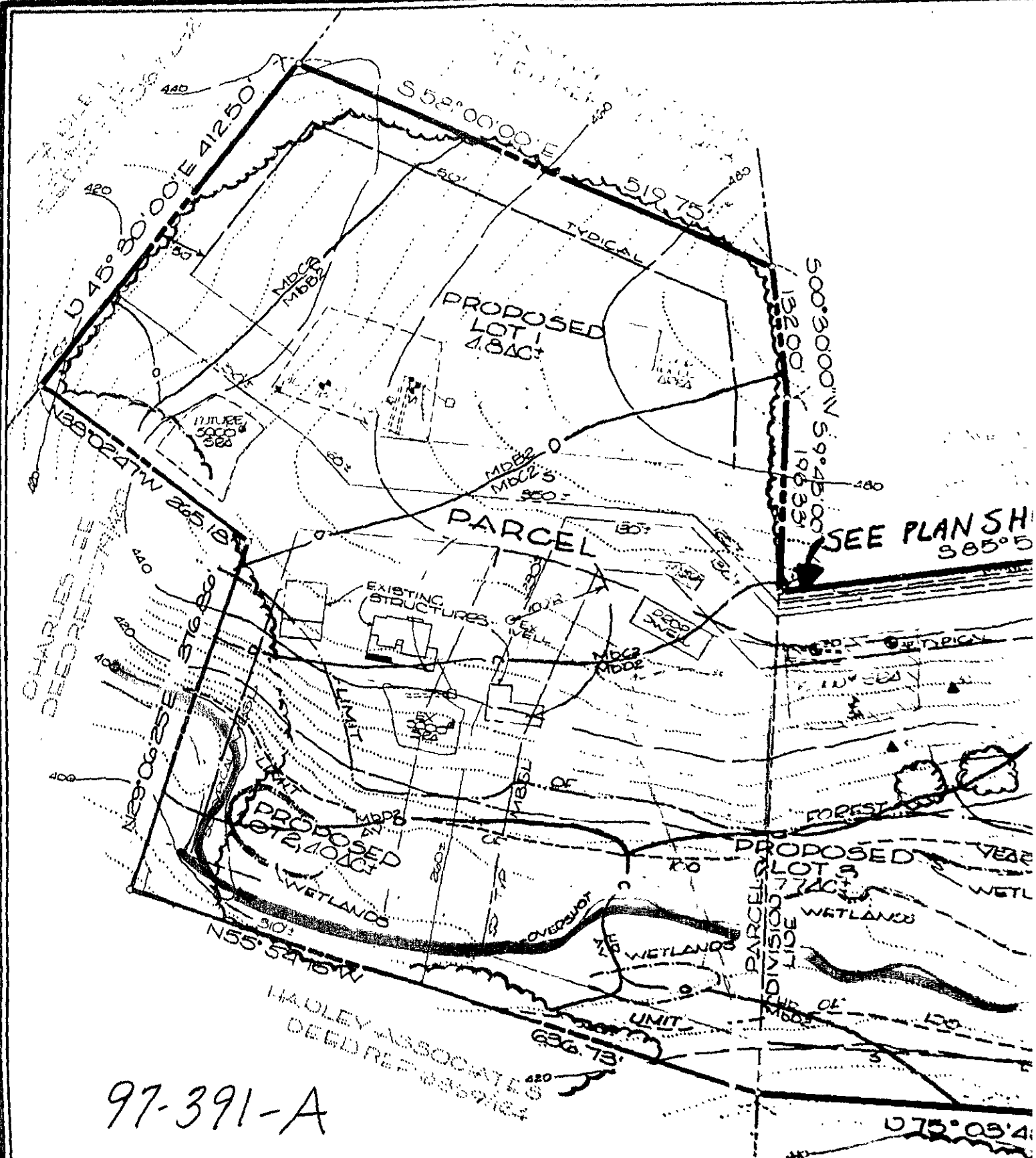










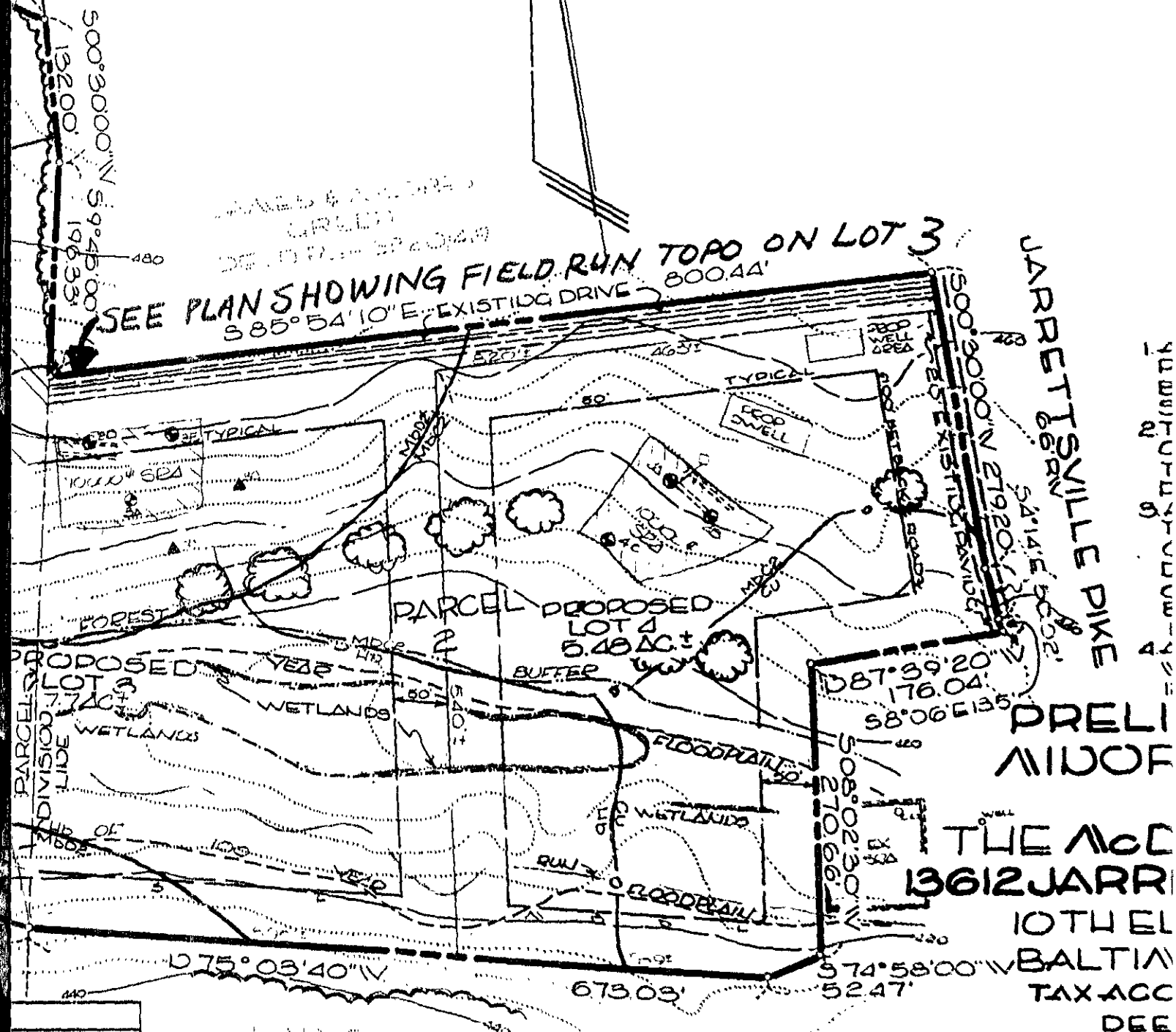


97-391-A

SOIL SURVEY		
SOIL	FILTER FIELD	HOMESITE (WITH/WITHOUT BSMT)
ALLUVIAL LADD:AV	SEVERE:HIGH WATER TABLE;FLOODING HAZARD	SEVERE:HIGH WATER TABLE;FLOODING HAZARD
CODORUS: CU	SEVERE:MODERATELY HIGH WATER TABLE; FLOODING HAZARD	SEVERE:FLOODING HAZARD

NOTE RESTRICTIVE COVENANTS SHALL BE RECORDED IN THE DEEDS OF LOTS IN PARCEL 1 AND E GOVERNING THE USE OF THE FOREST BUFFER EASEMENT.

NO WELLS OR SEPTICS EXIST WITHIN 100' OF THE PROPERTY EXCEPT AS SHOWN.



JARRETTSVILLE PIKE

PRELIMINARY

THE ACC
13612 JARRI
10TH EL
BALTIM
TAX ACC
DEE

ITE
OUT BASIN)
WATER
DILQ
ODILQ

PROPERTY OWNERS

391

REVISED 8/31/89

SCALE 1" = 10'

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 31, 1997

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

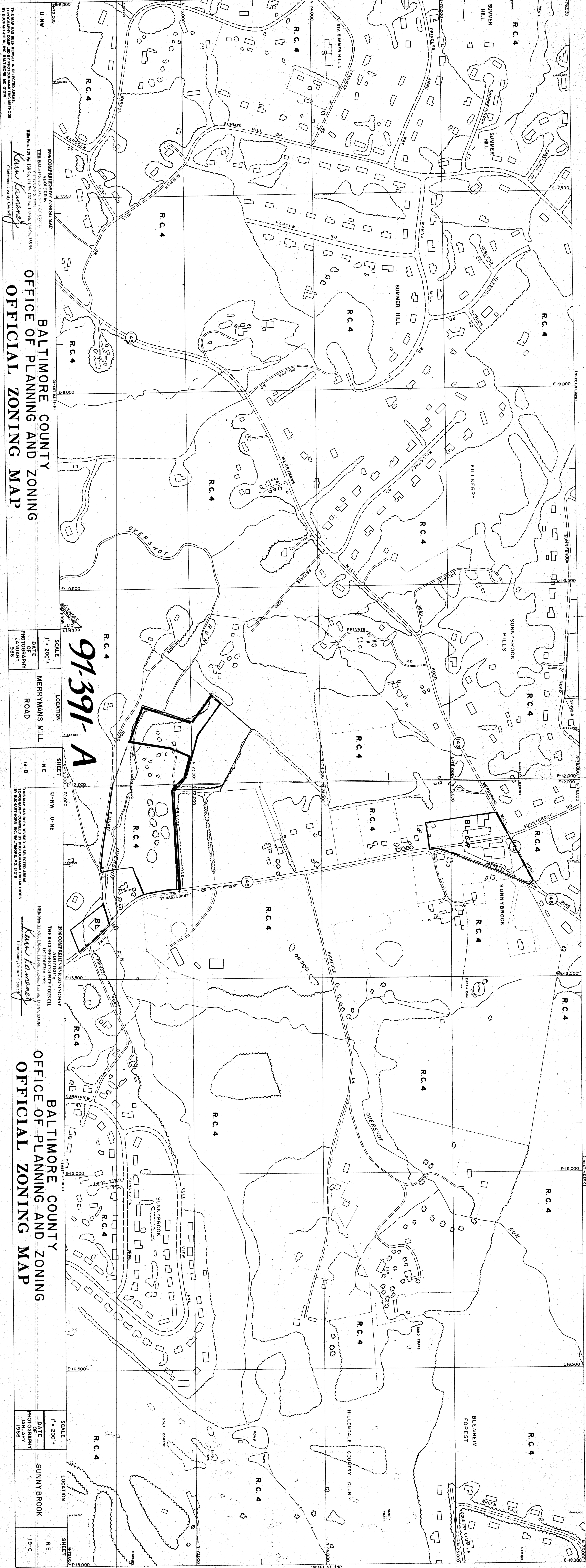


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
AERIAL PHOTOGRAPHIC MAP

SCALE	DATE OF PHOTOGRAPHY	LOCATION
1" = 200'	JANUARY 1986	MERRYMAN'S ROAD

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
AERIAL PHOTOGRAPHIC MAP



THIS MAP HAS BEEN REVIEWED IN SELECTED AREAS
BY THE BALTIMORE COUNTY ZONING BOARD
ON JANUARY 13, 1988.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

91-391-A
SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JULY 1985
LOCATION MERRYMANS MILL ROAD
SHEET 19-B

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1988
LOCATION SUNNYSIDE BROOK
SHEET 19-C

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Jarrettsville Pike, 962 ft. S. of c/1 Richfield Lane
13612 Jarrettsville Pike
10th Election District
3rd Councilmanic District
Garth R. McDonald, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-391-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Garth R. McDonald and Jennifer M. McDonald, his wife, for that property known as 13612 Jarrettsville Pike in the northern section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 30 ft. in lieu of the required 50 ft. for a proposed addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of April 1997 that the Petition for a Zoning Variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 30 ft., in lieu of the required 50 ft., for a proposed addition, in an R.C.4 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mm

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. and Mrs. Garth R. McDonald
13612 Jarrettsville Pike
Phoenix, Maryland 21131

RE: Petition for Administrative Variance
Case No. 97-391-A
Property: 13612 Jarrettsville Pike

Dear Mr. and Mrs. McDonald:

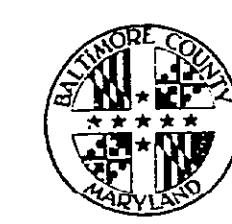
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mm
encl.



Petition for Administrative Variance

97-391-A
to the Zoning Commissioner of Baltimore County
for the property located at 13612 Jarrettsville Pike 21131 which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A03.4.B.4. (1975 reg.) to allow a side yard setback of 30 ft. in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

To maintain the practicality and functionality of this addition, we must build it on the east side of our house. The porch, paved driveway, and large tree prohibit any extension on the northern side. The steep slope, forest buffer, and septic system prevent extension down the hill to the south, plus the function and flow to existing rooms would be destroyed. A barn, heat pumps and telephone lines are located to the west. You would have to walk through at least three rooms, including a bedroom, to get to an addition on the west side.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Casualty

Type or Print Name

Signature

Address

City

State

Zip Code

Signature

Address

City

State

Zip Code

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)
Jennifer M. McDonald

Signature
Jennifer M. McDonald

Signature
Garth R. McDonald

Signature
Paul R. McDonald

Address
13612 Jarrettsville Pike 410-467-1749

City
Phoenix MD 21131

Name Address and phone number of representative to be contacted
Jennifer M. McDonald 410-467-1749

Signature
abse 410-467-1749

City
Phoenix MD 21131

REVIEWED BY:

DATE:

Printed with Synthetic Ink on Recycled Paper

ITEM # 391

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 13612 Jarrettsville Pike, Phoenix, MD 21131.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Include survey or previous affidavits)
The existing house sits in an east/west direction at the top of a steep hill. The practicality required to build this addition and the functionality of the house will be significantly compromised by adding onto any side other than the east side. The front porch, paved driveway, and large tree prohibit any extension on the northern side of the house. The steep slope, forest buffer, and septic system prevent extension down the hill to the south. Plus, an addition to the south would be isolated from other existing rooms diminishing the functionality. A barn, heat pumps and telephone lines are located to the west. And, if we were to extend the house to the west you would have to walk through at least three rooms to get there.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Jennifer M. McDonald
Garth R. McDonald

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I HEREBY CERTIFY, this 14th day of March, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JENNIFER M. McDONALD & GARTH R. McDONALD

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

March 14 1997

Notary Public
My Commission Expires: 11/1/97

97-391-A
To accompany Administrative Variance Petition for:
Garth & Jennifer McDonald
13612 Jarrettsville Pike
Phoenix, MD 21131

ZONING DESCRIPTION FOR 13612 Jarrettsville Pike.

Beginning at a point on the East side of Jarrettsville Pike which is 20 feet

wide at the distance of 962 feet South of the centerline of the nearest improved

intersecting street, Richfield Lane which is feet wide.

Being Lot #2 as shown on a plat entitled "Plat of a survey, Minor subdivision of the

property of Jennifer McDonald, 13612 Jarrettsville Pike," and recorded in

Baltimore County records as Deed Liber 8879, Page 102, containing 4.0049 acres.

Also known as 13612 Jarrettsville Pike, Phoenix, Maryland 21131 and located in

the 10th Election District, 3rd Councilmanic District.

Mets and Bounds:

S.02 43' 26" W. 12.53 FT.,
N.83 38' 34" W. 803.87 FT.,
N.27 38' 53" W. 122.64 FT.,
N.70 52' 00" W. 134.18 FT.,
S.29 13' 15" W. 293.72 FT.,
S.22 33' 48" W. 278.09 FT.,
N.55 54' 15" W. 310.00 FT.,
N.29 06' 25" E. 376.86 FT.,
N.38 02' 47" W. 265.18 FT.,
N.50 42' 39" E. 115.00 FT.,
S.38 02' 47" E. 250.00 FT.,
S.02 39' 27" E. 71.73 FT.,
S.70 52' 00" E. 350.00 FT.,
S.27 31' 30" E. 121.36 FT.,
S.83 38' 34" E. 797.93 FT.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 14 MAR 97 ACCOUNT: R-001-6150

RECEIVED FROM: Jennifer McDonald

FOR: 13612 Jarrettsville Pike

AMOUNT: \$ 50.00

BLAD000202NCHRC \$50.00

VALIDATION OR SIGNATURE OF CASHIER

13612 JARRETTSVILLE PIKE
ZONING VARIANCE
13612 JARRETTSVILLE PIKE
POSTED: MAR 23, 1997
Jul 1997 3/23/97

CERTIFICATE OF POSTING

RE: Case No.: 97-391-A

Petitioner/Developer:

GARTH & JENNIFER McDONALD

Date of Hearing/Closing: 4/19/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 13612 JARRETTSVILLE PIKE

The sign(s) were posted on 3/23/97 (Month, Day, Year)

Sincerely,

Signature of Sign Poster and Date

Richard E. Hoffmann

904 DELLWOOD DR.

FALLS CH, MD 21047

(City, State, Zip Code)

(410) 875-3122

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-391-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 391

Petitioner: Jennifer M. McDonald

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DR. & MRS. G.R. McDONALD

13612 Jarrettville Pike

Phoenix, MD 21131

PHONE NUMBER: 410-667-1749

AJ:ggg

(Revised 09/24/96)

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 13612 Jarrettville Pike, Phoenix, MD 21131 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

Plat book # _____, lot # _____, section # _____

OWNER: _____

Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 10

Councilmanic District: _____

1"=200' scale map: _____

Zoning: RC-4

Lot size: 4,004.9

acres square feet

SEWER: ☐ public ☒ private

WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 23 Mar 97

Format for Sign Printing, Black Letters on a White Background:

97-391-A

ZONING NOTICE

**ADMINISTRATIVE
VARIANCE**

Case No.: 97-391-A

To allow a side yard setback of 30' in lieu of the required 50'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 1 APRIL 1997.

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-391-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-391-A
13612 Jarrettville Pike
1/5 Jarrettville Pike, 362' S of 41/2 Richfield Lane
10th Election District - 3rd Councilmanic
Legal Owner(s): Jennifer M. McDonald and Garth R. McDonald
Post by Date: 3/23/97
Closing Date: 4/7/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Acting or Deputy Zoning Commissioner. He/she may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Jennifer and Garth McDonald

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 391 CAM

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

DR. & MRS. G.R. McDONALD
13612 Jarrettville Pike
Phoenix, MD 21131

March 13, 1997

Baltimore County Zoning Office
Towson, Maryland 21204

97-391-A

To the Zoning Officer and the Zoning Commissioner who review this petition:

We wish to build a large den from our kitchen/dining area and the only realistic direction to go with the addition is out to the east side. We propose to add on a room of this character in this location because it will function well and be feasible to construct.

The side setback in our zone (RC-4) was reduced from 50 feet to 25 feet. We understand that the setback in effect at the time the property was subdivided is the setback that applies. Yet, we believe that the intent of the side setback requirement will not be violated by granting us relief, because no one will be detrimentally affected. Our existing house is 68 feet from the side property line. Even with our addition, 30 feet of setback will remain between our existing dwelling lot and one of the vacant lots we own. This residual setback is greater than the new side setback requirement for our zone.

Immediate neighbors will not be significantly impacted by granting us relief. We have one neighbor across the stream (to the South) about 600 feet away, and another neighbor (to the West) who is out of view but is also about 600 feet away. We own the two vacant lots (to the North and East) that border the lot with our existing dwelling. The relief requested is without substantial injury to our neighbors, ourselves or other property owners in the district. A lesser relaxation than applied for will not give substantial relief. Relief can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Sincerely,

Garth and Jennifer McDonald

Item 391



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Garth McDonald
13612 Jarrettville Pike
Phoenix, MD 21131

RE: Item No.: 391
Case No.: 97-391-A
Petitioner: Garth McDonald, et ux

Dear Mr. and Mrs. McDonald:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 13, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/ze
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

ITEM378/PZONE/ZAC1

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Larry L. Keane

PK/JL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: March 31, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab
cc: File

ZONE331.NOC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
DATE: March 26, 97

SUBJECT: Zoning Advisory Committee
Meeting Date: March 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 400
391

RBS:sp
BRUCE2/DEPRM/TXTSP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500 (410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF March 24, 1997
Item No.: SEE BELOW Zoning Agenda:
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:
380, 381, 382, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4081, MS-1102F
cc: File

PETITION PROBLEMS

97-391-A

#388 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.
3. No description on folder.
4. No zoning on folder.
5. No acreage on folder.
6. No election district on folder.
7. No councilmanic district on folder.

#389 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.

#390 --- MJK

1. Sign form is incomplete/incorrect.
2. No telephone number for legal owner.

#391 --- CAM

1. No review information on bottom of petition form.
2. Area listed on folder - acres, square feet, what?

#392 --- CAM

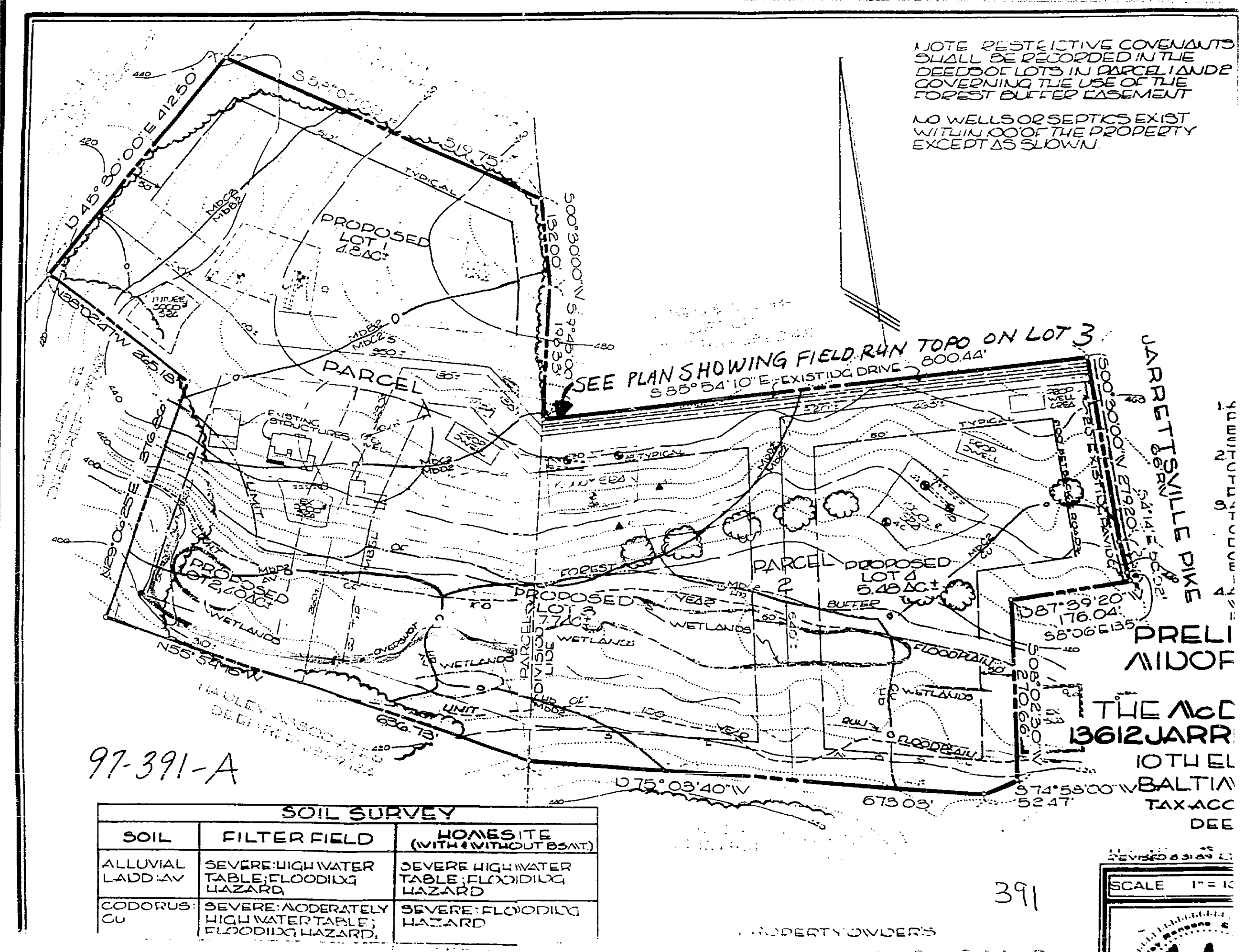
1. No review information on bottom of petition form.

#394 --- JLL

1. Sign form is incomplete/incorrect.

3/19/97







COUNTY
AND ZONING
IC MAP

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
MERRYMAN'S M
ROAD

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

1

F1/2

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SUNNYBROOK

SHEET
NE
19-C



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

1

F2/2

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1956

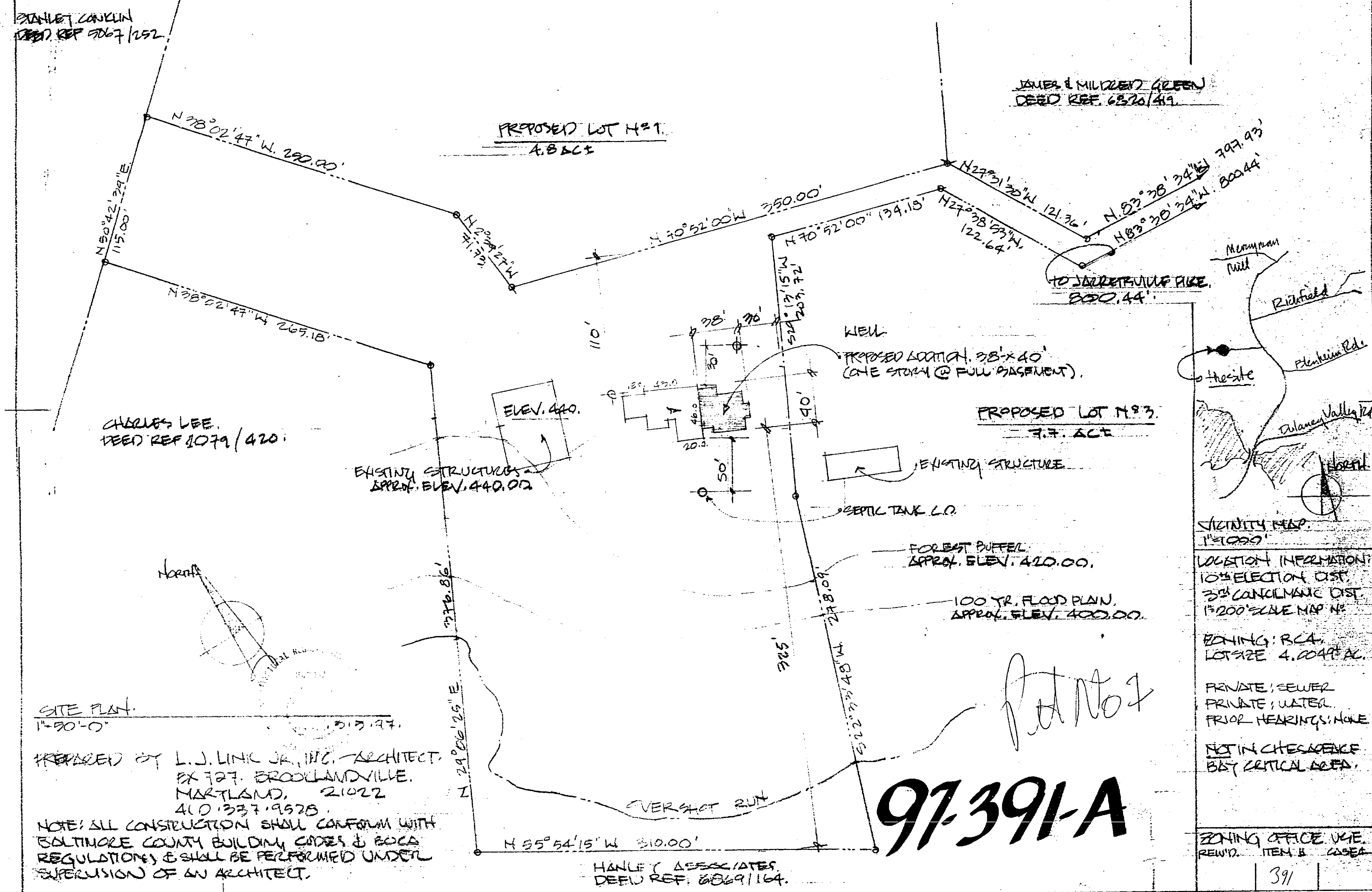
LOCATION
MERRYMAN'S M
ROAD

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

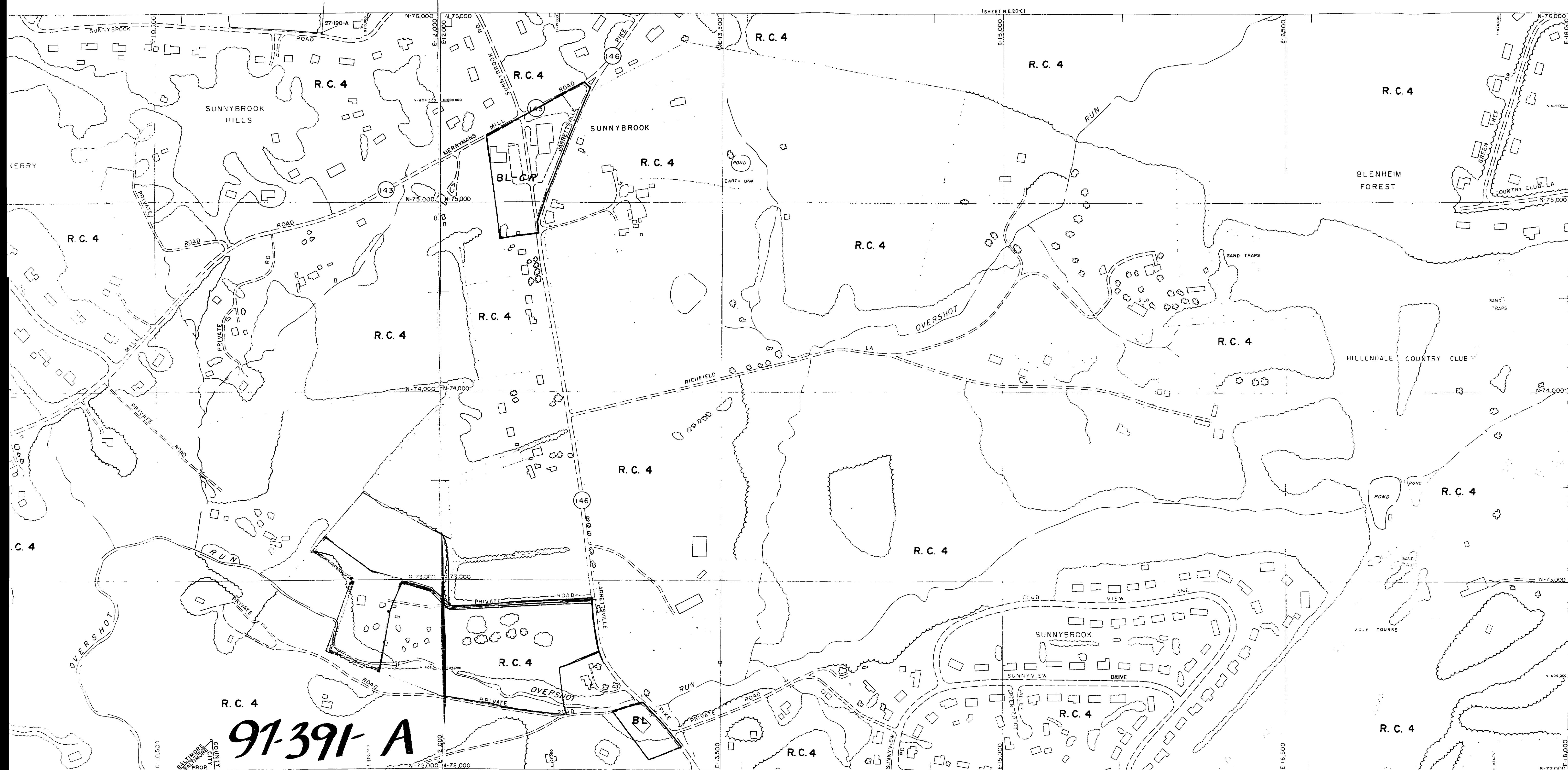
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PLAT IS A COMPANY PETITION FOR ZONING. ☒ VARIANCE
 PROPERTY ADDRESS: 13612 JARRETTVILLE PIKE. ☐ SPECIAL HEARING
 PHOENIX, MARYLAND, 21131.
 SUBDIVISION PLAT FOLIO LOT #2. SECTION.
 OWNER: GARTH R. & JENNIFER M. McDONALD.



Pet No 7
97-391-A

SITUATION MAP
 1" = 1000'
 LOCATION INFORMATION:
 10' ELECTION DIST.
 30' CONCERNANCE DIST.
 1" = 200' SCALE MAP NO.
 ZONING: RCL
 LOT SIZE 4.00 AC.
 PRIVATE: SEWER
 PRIVATE: WATER
 PRIOR HEARINGS: NONE
 NOT IN CHESAPENGE
 BUT CRITICAL AREA
 ZONING OFFICE USE
 REVIEW ITEM # 391



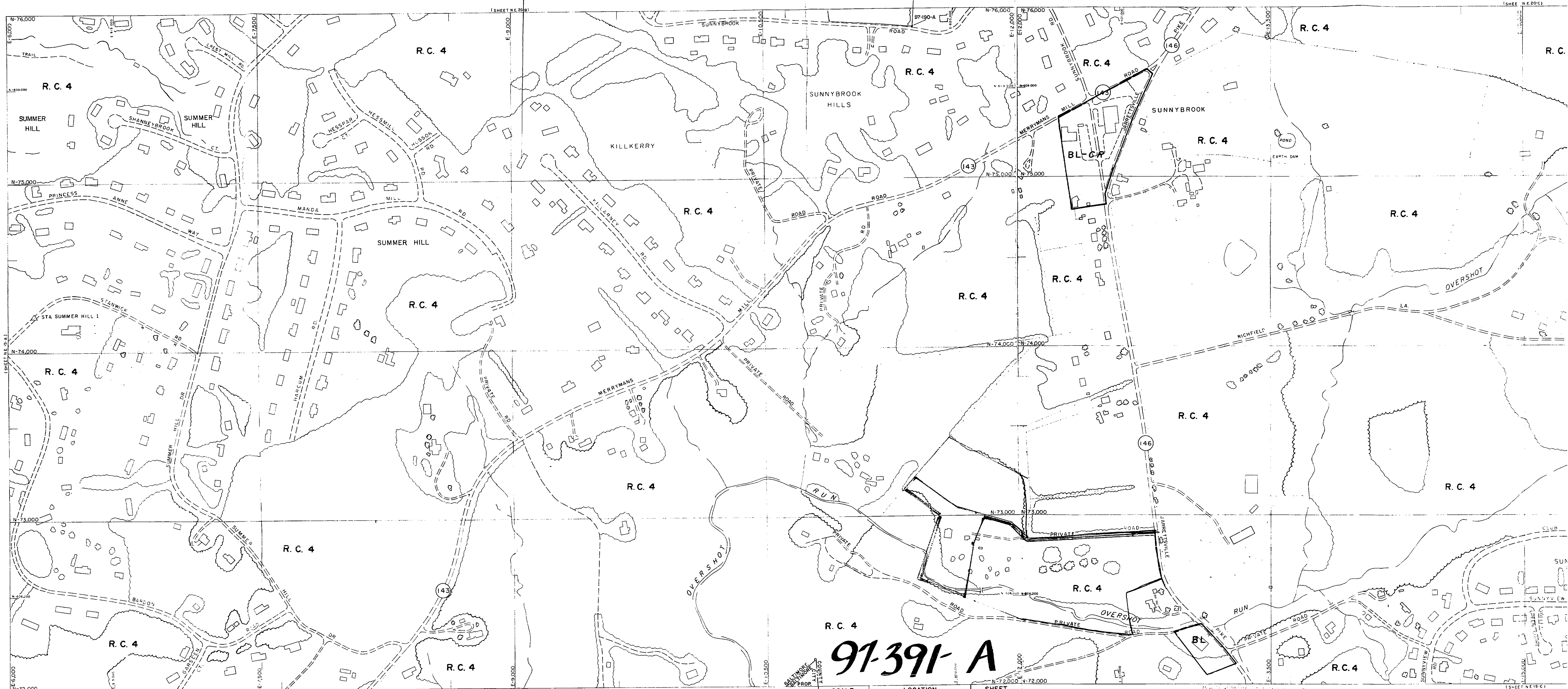
NING
AP

SCALE	LOCATION	SHEET
1" = 200' ±	MERRYMANS MILL ROAD	N.E. 19-B
DATE OF PHOTOGRAPHY JANUARY 1986		

SCALE	LOCATION	SHEET
1" = 200' ±	SUNNYBROOK	N.E. 19-C
DATE OF PHOTOGRAPHY JANUARY 1986		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

FI/2



U-NW
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION MERRYMANS MILL ROAD	SHEET N.E. 19-B	U-NW U-NE
DATE OF PHOTOGRAPHY JANUARY 1986		THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210	

BALTIMORE CO
OFFICE OF PLANNING
OFFICIAL ZONING MAP

F2/2



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-391-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 391

Petitioner: Jennifer M. McDonald

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DR. & MRS. G.R. McDONALD

13612 Jarrettville Pike

Phoenix, MD 21131

PHONE NUMBER: 410-667-1749

AJ:ggg

(Revised 09/24/96)

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 13612 Jarrettville Pike, Phoenix, MD 21131 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

Plat book # _____, lot # _____, section # _____

OWNER: _____

Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 10

Councilmanic District: _____

1"=200' scale map: _____

Zoning: RC-4

Lot size: 4,004.9

acres square feet

SEWER: ☐ public ☒ private

WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____

ITEM #: _____

CASE #: _____

North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 23 Mar 97

Format for Sign Printing, Black Letters on a White Background:

97-391-A

ZONING NOTICE

**ADMINISTRATIVE
VARIANCE**

Case No.: 97-391-A

To allow a side yard setback of 30' in lieu of the required 50'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE. PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 1 APRIL 1997.

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-391-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-391-A
13612 Jarrettville Pike
1/3 Jarrettville Pike, 302' S of 41/2 Richfield Lane
10th Election District - 3rd Councilmanic
Legal Owner(s): Jennifer M. McDonald and Garth R. McDonald
Post by Date: 3/23/97
Closing Date: 4/7/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Acting or Deputy Zoning Commissioner. He/she may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Jennifer and Garth McDonald

Printed with Soybean Ink on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 391 CAM

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

DR. & MRS. G.R. McDONALD
13612 Jarrettville Pike
Phoenix, MD 21131

March 13, 1997

Baltimore County Zoning Office
Towson, Maryland 21204

97-391-A

To the Zoning Officer and the Zoning Commissioner who review this petition:

We wish to build a large den from our kitchen/dining area and the only realistic direction to go with the addition is out to the east side. We propose to add on a room of this character in this location because it will function well and be feasible to construct.

The side setback in our zone (RC-4) was reduced from 50 feet to 25 feet. We understand that the setback in effect at the time the property was subdivided is the setback that applies. Yet, we believe that the intent of the side setback requirement will not be violated by granting us relief, because no one will be detrimentally affected. Our existing house is 68 feet from the side property line. Even with our addition, 30 feet of setback will remain between our existing dwelling lot and one of the vacant lots we own. This residual setback is greater than the new side setback requirement for our zone.

Immediate neighbors will not be significantly impacted by granting us relief. We have one neighbor across the stream (to the South) about 600 feet away, and another neighbor (to the West) who is out of view but is also about 600 feet away. We own the two vacant lots (to the North and East) that border the lot with our existing dwelling. The relief requested is without substantial injury to our neighbors, ourselves or other property owners in the district. A lesser relaxation than applied for will not give substantial relief. Relief can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Sincerely,

Garth and Jennifer McDonald

Item 391



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Garth McDonald
13612 Jarrettville Pike
Phoenix, MD 21131

RE: Item No.: 391
Case No.: 97-391-A
Petitioner: Garth McDonald, et ux

Dear Mr. and Mrs. McDonald:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 13, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/ze
Attachment(s)

Printed with Soybean Ink on Recycled Paper

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Larry L. Keane

PK/JL

ITEM378/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: March 31, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
DATE: March 26, 97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 400
391

RBS:sp
BRUCE2/DEPRM/TXTSP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500 (410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 382, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4081, MS-1102F
cc: File

PETITION PROBLEMS

97-391-A

#388 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.
3. No description on folder.
4. No zoning on folder.
5. No acreage on folder.
6. No election district on folder.
7. No councilmanic district on folder.

#389 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.

#390 --- MJK

1. Sign form is incomplete/incorrect.
2. No telephone number for legal owner.

#391 --- CAM

1. No review information on bottom of petition form.
2. Area listed on folder - acres, square feet, what?

#392 --- CAM

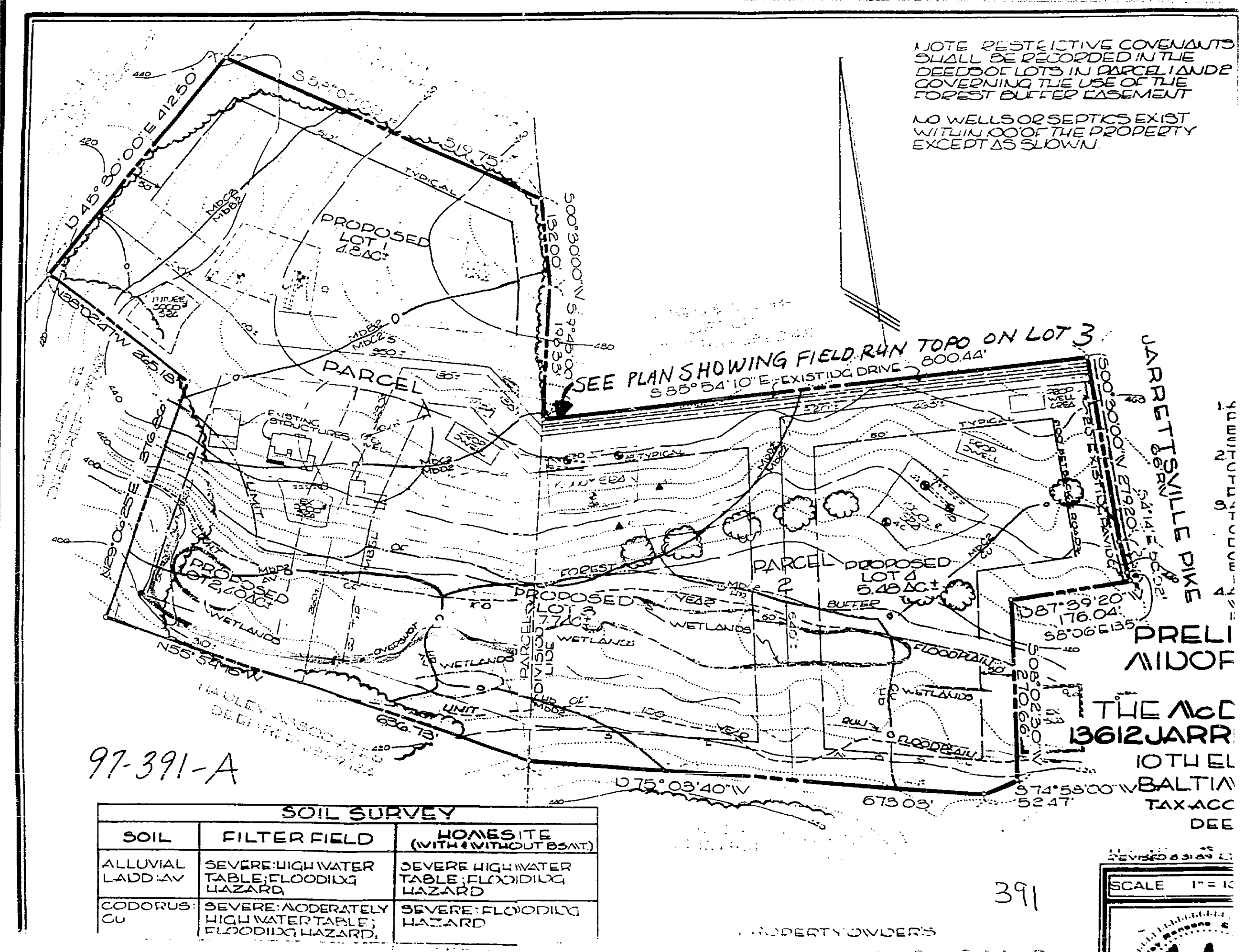
1. No review information on bottom of petition form.

#394 --- JLL

1. Sign form is incomplete/incorrect.

3/19/97







COUNTY
AND ZONING
IC MAP

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
MERRYMAN'S M
ROAD

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

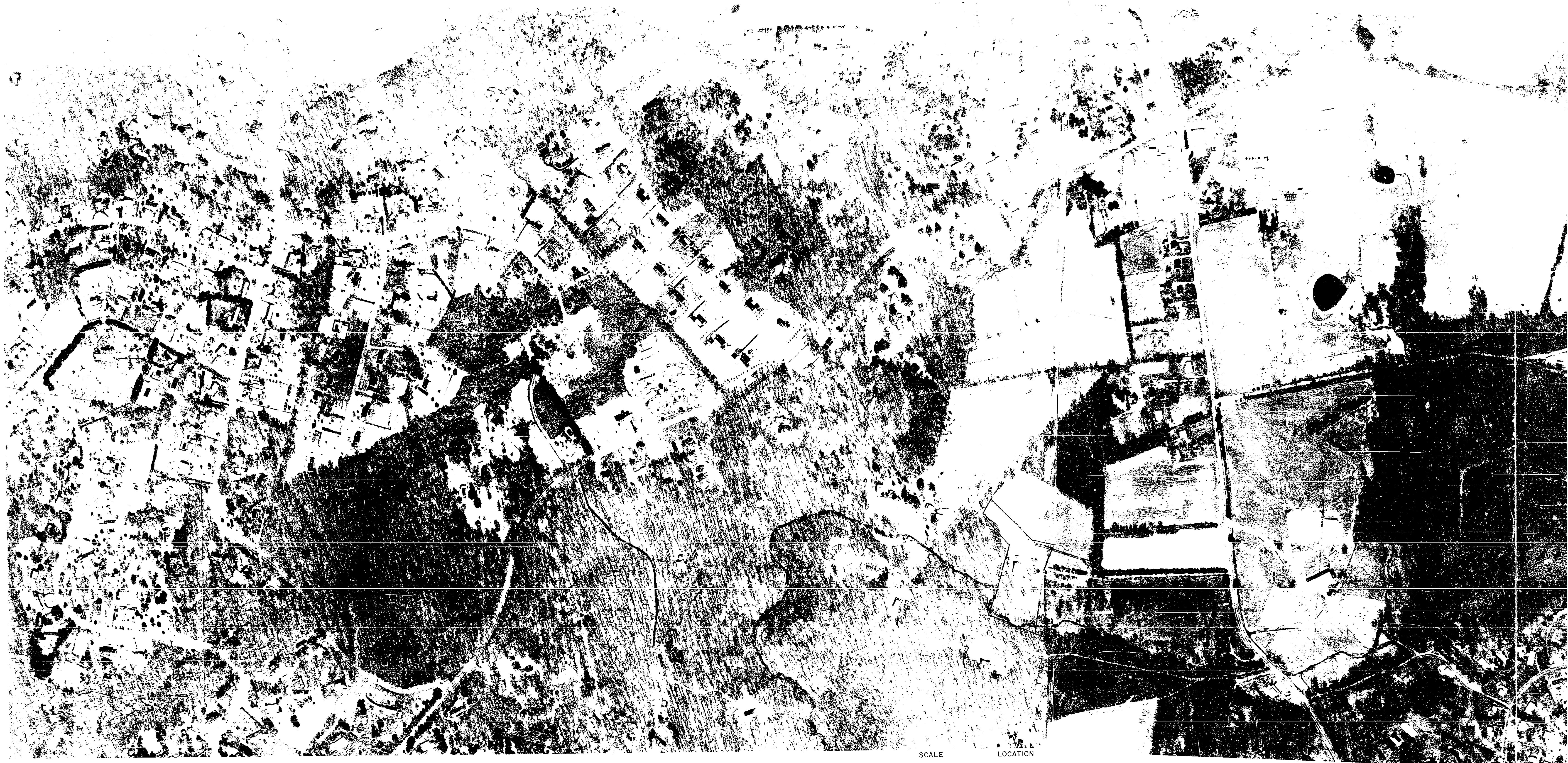
1

F1/2

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SUNNYBROOK

SHEET
NE
19-C



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

1

F2/2

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1956

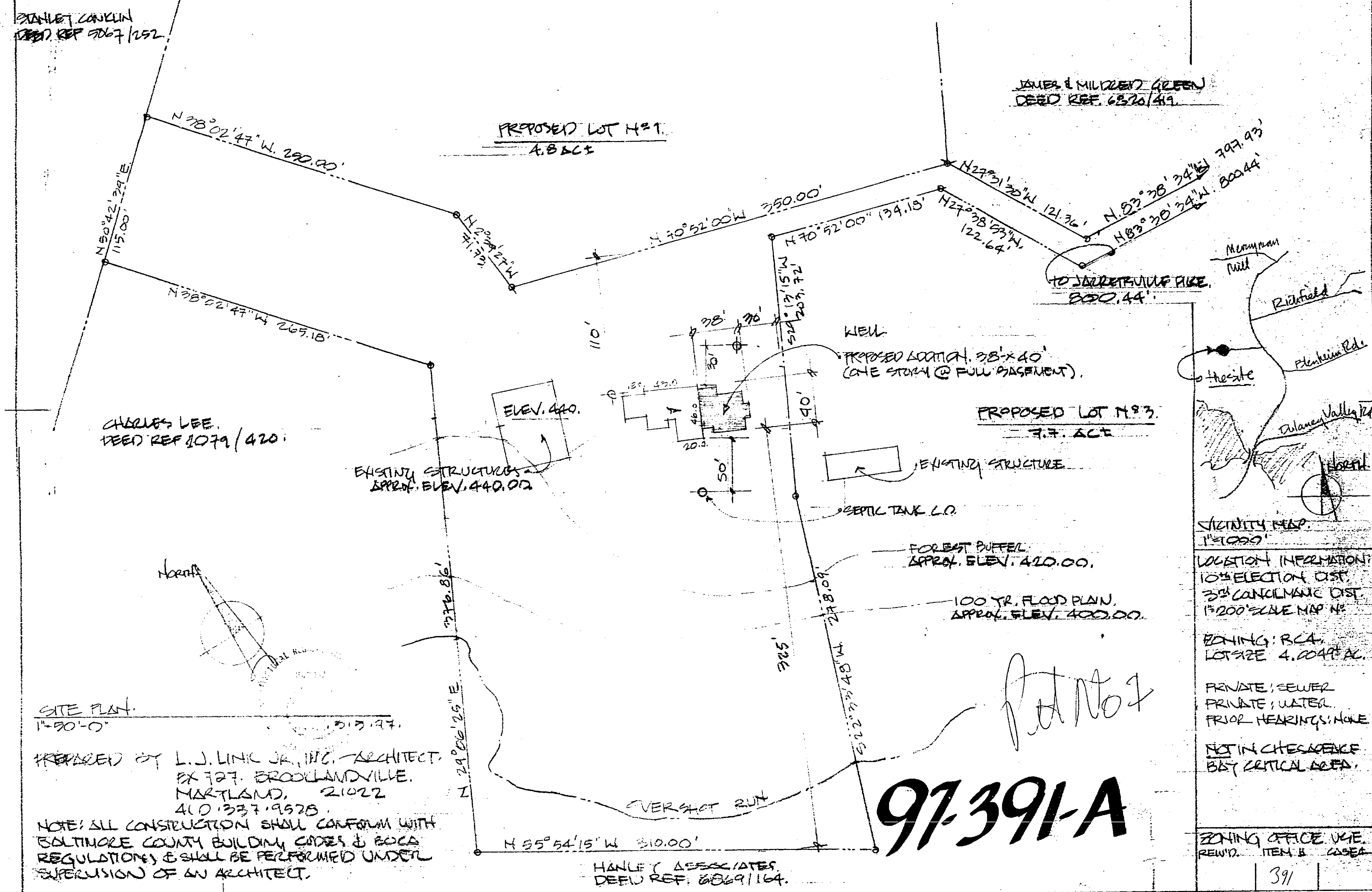
LOCATION
MERRYMAN'S M
ROAD

PREPARED BY AIR PHOTOGRAPHICS, INC.
1341 N. N. BURG, W. V. 23401

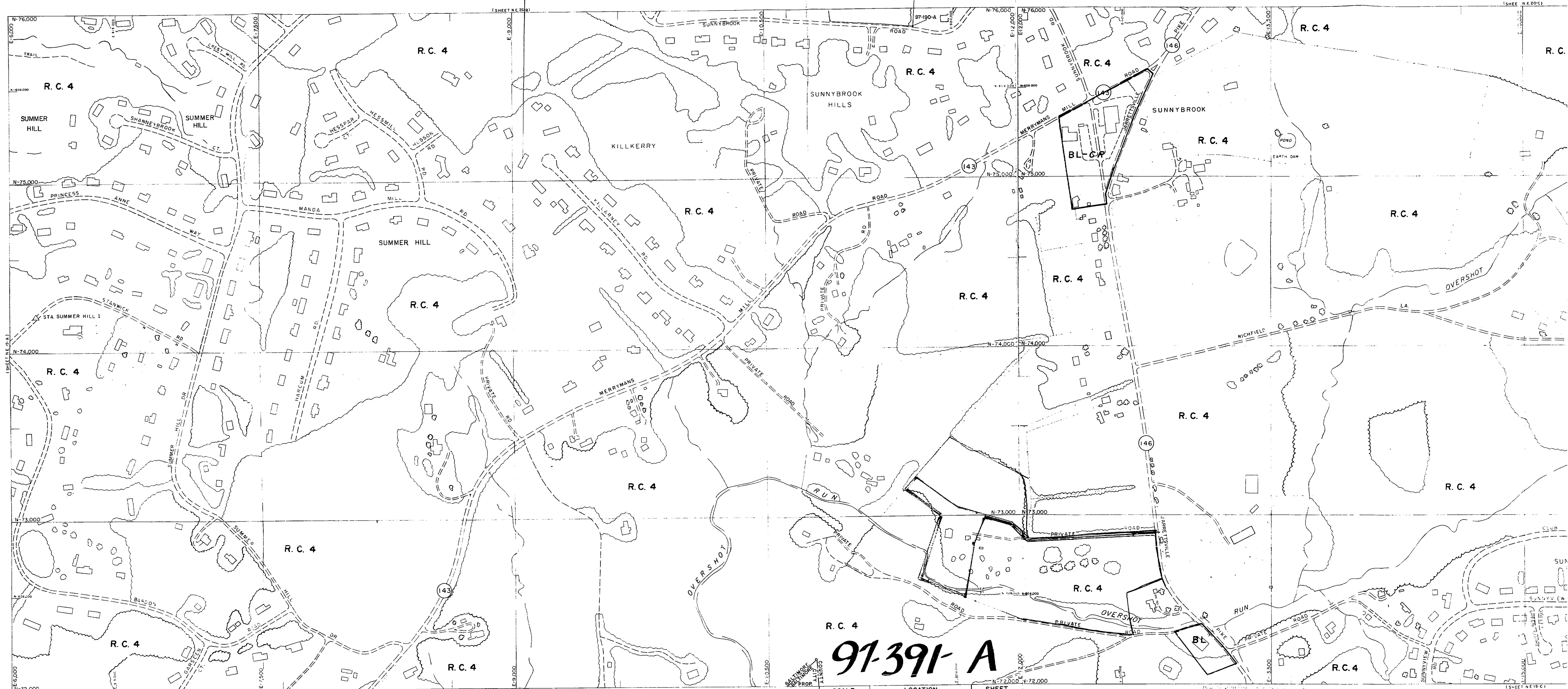
PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PLAT IS A COMPANY PETITION FOR ZONING. ☒ VARIANCE
 PROPERTY ADDRESS: 13612 JARRETTVILLE PIKE. ☐ SPECIAL HEARING
 PHOENIX, MARYLAND, 21131.
 SUBDIVISION PLAT FOLIO LOT #2. SECTION.
 OWNER: GARTH R. & JENNIFER M. McDONALD.



SITUATION MAP
 1"=1000'
 LOCATION INFORMATION:
 10% ELECTION DIST.
 30% CONCERNING DIST.
 100% CONCERNING DIST.
 ZONING: RCL
 LOT SIZE 4.00 AC
 PRIVATE: SEWER
 PRIVATE: WATER
 PRIOR HEARINGS: NONE
 NOT IN CHESAPCE
 BUT CRITICAL AREA
 ZONING OFFICE USE
 REVIEW ITEM # 391



U-NW

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE 1" = 200'	LOCATION MERRYMANS MILL ROAD	SHEET N.E. 19-B	U-NW U-NE
DATE OF PHOTOGRAPHY JANUARY 1986		THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210	

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

F2/2